

1 SUE CAMPBELL
Attorney at Law, State Bar Number 98728
2 1155 North First Street, Suite 101
San Jose, California 95112
3 Phone: (408) 277-0648
Fax: (408) 938-1035

4 Attorney for Plaintiffs
5
6
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 NORTHERN CALIFORNIA-NORTHERN
NEVADA SOUND AND COMMUNICATIONS }
11 EMPLOYEE BENEFIT TRUST FUNDS; }
DOUG LUNG AND BOB TRAGNI AS }
12 TRUSTEES OF THE NORTHERN }
CALIFORNIA-NORTHERN NEVADA }
13 SOUND AND COMMUNICATIONS }
DISTRICT NO. 9 HEALTH AND WELFARE }
14 TRUST FUND, }

15 Plaintiffs,

16 vs.

17 SPARTAN ENGINEERING, INC.,
a California Corporation,

18 Defendant.
19
20

CASE NO.: C08-00537 RMW

NOTICE OF APPLICATION
FOR DEFAULT JUDGMENT
BY COURT AND FOR
ATTORNEY'S FEES
RULE 55(b)(2)

DATE: July 25, 2008
TIME: 9:00 a.m.
PLACE: Courtroom 4, 5th Floor
JUDGE: Ronald M. Whyte

21 To Defendant SPARTAN ENGINEERING, INC., a California Corporation,, and to its attorney
22 of record:

23 NOTICE IS HEREBY GIVEN that on July 25, 2008, at 9:00 a.m., or as soon thereafter
24 as the matter may be heard in Courtroom 4, 5th Floor, of this court, located at 280 South First
25 Street, San Jose, California, Plaintiffs will move for a default judgment by court for \$21,121.57
26 in contributions; \$11,256.52 in liquidated damages; \$3,342.60 in interest at 8% from September
27 15, 2007 through July 15, 2008; \$6,454.50 in attorney's fees; together with costs in the sum of
28 \$390.00; for a total amount of judgment of \$42,565.19.

1 The application will be based on this notice of application, the declaration of Sue
2 Campbell, the declaration of Bob Tragni, the memorandum of points and authorities filed
3 herewith, the papers, records, and file herein, and such evidence as may be presented at the
4 hearing of the motion.

5
6 DATED: June 19, 2008

/s/ SUE CAMPBELL
SUE CAMPBELL
Attorney for Plaintiffs

PROOF OF SERVICE

I am a citizen of the United States. My business address is 1155 North First Street, Suite 101, San Jose, California 95112. I am employed in the county of Santa Clara where this service occurs. I am over the age of 18 years, and not a party to the within cause. I am readily familiar with my employer's normal business practice for collection and processing of correspondence for mailing with the U.S. Postal Service, and that practice is that correspondence is deposited with the U.S. Postal Service the same day as the day of collection in the ordinary course of business.

On the date set forth below, following ordinary business practice, I served a true copy of the foregoing document(s) described as:

NOTICE OF APPLICATION FOR DEFAULT JUDGMENT BY COURT AND FOR ATTORNEY'S FEES RULE 55(b)(2), MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF A DEFAULT JUDGMENT, DECLARATION OF BOB TRAGNI, DECLARATION OF SUE CAMPBELL

- ☐ (BY FAX) by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m.
- ☒ (BY MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at San Jose, California.
- ☐ (BY PERSONAL SERVICE) I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s).
- ☐ (BY OVERNIGHT DELIVERY) I caused such envelope(s) to be delivered to an overnight delivery carrier with delivery fees provided for, addressed to the person(s) on whom it is to be served.

SPARTAN ENGINEERING, INC.
A California Corporation
540 Parrott Street
San Jose, CA 95112

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 19, 2008, at San Jose, California.

/s/ Christine Delgadillo
CHRISTINE DELGADILLO